

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 3:06cr139HTW-JCS

DAVID KENNEDY

**AGREED ORDER TO STAY SENTENCING**

COMES NOW, David Kennedy, by and through counsel, and moves the Court to Stay Sentencing in the above-styled and numbered cause and for grounds in support thereof would show:

1. That on November 19, 2007, Movant entered a plea of guilty in the above captioned cause and sentencing is set for January 31, 2008; and,
2. That the Plea Agreement contains a provision for a downward departure pursuant to U.S.S.G. § 5K 1.1(a)(1)-5 for substantial assistance; and,
3. That cooperation is on-going and both the Government and the Defendant need more time to accomplish same; and
4. That sentencing should be stayed for at least thirty (30) days in order to continue interviewing Movant.

SO ORDERED this the 31<sup>st</sup> day of January, 2008.

**s/ HENRY T. WINGATE**

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CHIEF UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Harold B. McCarley, Jr.

Harold B. McCarley, Jr., Counsel for Defendant

Agreed:

/s/ Carla J. Clark

Carla J. Clark, Assistant U.S. Attorney